IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SEVENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION NO : 19079 of 2004

Between:

K. Venkatesh, S/o. Yadagiri,
President of Toddy Toppers Association

R/o. 2-3-647/B/236, New Premnagar,
Amberpet, Hyderabad - 500 013.

..... PETITIONER

AND

1 Prohibition & Excise Superintendent, Hyderabad District.
2 The Commissioner of Prohibition & Excise, Govt. of A.P., Hyderabad.
3 Govt. of A.P. rep by its Special Chief Secretary,

Revenue (EX-II) Dept., Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ order or orders or directions particularly in the nature of writ of mandamus declaring the action of the respondent as illegal, arbitrary, contrary to law much less violative of principles of natural justice and violative of articles 14 and 21 of the constitution of India and discriminative in nature and consequently declare the impugned G.O.Ms.No.767 dated 29-9-2004 as prospective in nature that applies to the shops established but not to the shops already established and allow the petitioners Society to run the toddy shop in the interest of justice.

Counsel for the Petitioner:MR.M.V.RAJA RAM

Counsel for the Respondents: G.P.FOR PROHIBITION & EXCISE

The Court made the following :

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.19079 OF 2004

ORDER:

Learned counsel for the petitioner Sri M.V.Raja Ram, and learned Government Pleader for Prohibition and Excise submit that the question raised in this Writ Petition is squarely covered by judgment of this Court dt.16.11.2004 in W.P.No.18070 of 2004 and batch. Following the same, this Writ Petition is also dismissed. No costs. Be it noted, that the judgment referred to hereinabove shall form part of this order.

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(V.V.S.RAO, J)

7.6.2005

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To

1 The Prohibition & Excise Superintendent, Hyderabad District.
2 The Commissioner of Prohibition & Excise, Govt. of A.P., Hyderabad.
3 The Special Chief Secretary, Revenue (EX-II) Dept.,

Government of Andhra Pradesh,

Hyderabad.

4 2 CCs to G.P. for Prohibition and Excise, High Court Bldgs., Hyderabad

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5 2 CD copies.